



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/556,356	FIRST NAMED APPLICANT Max Peter Seiler	ATTY. DOCKET NO. PN/4-33177A
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1095  
NOVARTIS  
CORPORATE INTELLECTUAL PROPERTY  
ONE HEALTH PLAZA 104/3  
EAST HANOVER, NJ 07936-1080

INTERNATIONAL APPLICATION NO. PCT/EP04/05042	
I.A. FILING DATE 05/11/2004	PRIORITY DATE 05/12/2003

CONFIRMATION NO. 8929  
371 FORMALITIES LETTER

\*OC000000022221352\*

Date Mailed: 01/31/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 11/10/2005
- Copy of the International Search Report filed on 11/10/2005
- Copy of IPE Report filed on 11/10/2005
- Preliminary Amendments filed on 11/10/2005
- Information Disclosure Statements filed on 11/10/2005
- Oath or Declaration filed on 11/10/2005
- U.S. Basic National Fees filed on 11/10/2005
- Priority Documents filed on 11/10/2005
- Specification filed on 11/10/2005
- Claims filed on 11/10/2005
- Abstracts filed on 11/10/2005



The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Tel (862) 778-0705  
Fax (973) 781-8064  
Internet: cindy.klepacky  
@novartis.com**Fax**

Attention Karen McLean  
Patent & Trademark Office  
Alexandria, VA

Fax no. 571-270-9873  
Number of pages 11 including cover page

Date March 1, 2007

Concerning Case Number 4-33177A US - Application 10/556,356

Please find enclosed as per our telephone conversation a copy of the executed Declaration and Power of Attorney submitted to the USPTO August 11, 2006 in regards to the above-noted application. Also enclosed is the return postcard from the PCT/PTO acknowledging receipt of documents. Thank you.

Very truly yours,

A handwritten signature in cursive script that reads 'Cindy Klepacky'.

Cindy Klepacky for Peter J. Waibel

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**CONFIDENTIALITY NOTICE**

THIS FAX CONTAINS CONFIDENTIAL INFORMATION WHICH MAY BE PRIVILEGED AND IS INTENDED SOLELY FOR THE USE OF THE ABOVE-NAMED RECIPIENT(S). IT MAY BE EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT AN INTENDED RECIPIENT OR PERSON RESPONSIBLE FOR DELIVERY OF THIS FAX TO AN INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS FAX IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISCLOSURE, COPYING OR OTHER USE OF THIS FAX OR ITS CONTENTS IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE AT ONE OF THE PHONE NUMBERS SET FORTH ABOVE AND DESTROY THIS FAX IMMEDIATELY.

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/556,356	PCT/EP04/05042	PN/4-33177A

FORM PCT/DO/EO/805 (371 Formalities Notice)

Case No. 4-33177A ✓  
 Application No. 10/556,356  
 Mailing Date: August 11, 2006  
 Express Mail No.: EV 860 847 395 US

The Patent & Trademark Office acknowledges, and has stamped hereon the date of receipt of the items checked below:

- ☐ Application Filing Papers  
     ☐ PCT National Stage  
     ☐ Non-Provisional  
     ☐ Provisional  
     ☐ RCE ☐ DIV ☐ CONT ☐ CIP  
☐ Specification \_\_\_\_\_ Pg's  
☒ Executed/Unexecuted Declaration(s) (Copy)  
     ☐ Missing Parts/Missing Requirements  
☐ Preliminary Amendment \_\_\_\_\_ Pg's  
☐ Claim of Priority ☐ Certified Copy(s)  
☐ Application Data Sheet  
☐ Drawings \_\_\_\_\_ Pg's  
☐ Sequence Listing \_\_\_\_\_ Pg's/Sequence  
     ☐ Statement of Verification  
☐ IDS \_\_\_\_\_ Pg's ☐ Supplemental  
☐ PTO-1449 Form \_\_\_\_\_ Pg's  
     ☐ Number of Reference(s)  
☐ Amendment ☐ Response ☐ Letter/Communication  
☐ Response to Restriction Requirement  
☐ Petition for Extension of Time  
☐ Amendment After Final  
☐ Notice of Appeal  
☐ Appeal Brief  
☐ Issue Fee Payment  
☐ Assignment Recordation Requested  
☐ Letter Correcting Official Filing Receipt  
☐

PSW  
 Initials

85834/05



1AP7 Rec'd PCT/PTO 11 AUG 2006

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 86084739545  
Express Mail Label NumberAugust 11, 2006  
Date of Deposit

Form PTO-1380-MOO (REV 10-96)		U. S. Department of Commerce Patent and Trademark Office	ATTORNEY'S DOCKET NUMBER PN/4-33177A
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/556,356
INTERNATIONAL APPLICATION NO. PCT/EP2004/005042	INTERNATIONAL FILING DATE 11 May 2004 (11.05.04)	PRIORITY DATE CLAIMED 12 May 2003 (12.05.03)	
TITLE OF INVENTION ISOQUINOLINE-3-CARBOXYLIC ACID AMIDES AND PHARMACEUTICAL USES THEREOF			
APPLICANT(S) FOR DO/EO/US MAX PETER SEILER			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau. (See Form PCT/IB/308)
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 38 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Cindy Klepacky  
Type or print name

Cindy Klepacky  
Signature

3/1/07  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
IN RE APPLICATION OF  
MAX PETER SEILER  
APPLICATION NO: 10/556,356  
FILED: NOVEMBER 10, 2005  
FOR: ISOQUINOLINE-3-CARBOXYLIC ACID AMIDES AND  
PHARMACEUTICAL USES THEREOF

**MS: Missing Parts**  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Sir:

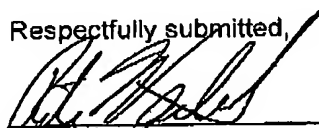
The Notice to File Missing Parts of Application mailed January 31, 2007 (a copy of which is enclosed) has a shortened statutory time set to expire on March 31, 2007.

In response, applicants submit that on August 11, 2006 an original or copy of a fully executed Declaration and Power of Attorney was submitted with a Transmittal Letter stating that this is a Second or Subsequent Submission of items concerning a filing under 35 U.S.C. 371 and the surcharge fee under 37 CFR §1.16(e) of \$130.00 was authorized to be charged to Deposit Account No. 19-0134 in the name of Novartis Corporation. Copies of the submission dated August 11, 2006 as well as the returned postcard indicating that these papers were received at the PCT/PTO are enclosed herewith.

A duplicate copy of this letter is provided for charging purposes.

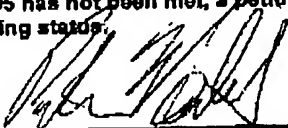
Novartis  
Corporate Intellectual Property  
One Health Plaza, Building 104  
East Hanover, NJ 07936-1080  
(862) 778-7951  
Date:

Respectfully submitted,



Peter J. Waibel  
Attorney for Applicant  
Reg. No. 43,228

Encl. Copy of Notification of Missing Parts  
Copy of Transmittal Letter and Declaration & Power of Attorney  
Return postcard from PCT/PTO

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/556,356</b>		INTERNATIONAL APPLICATION NO. <b>PCT/EP2004/005042</b>		ATTORNEY'S DOCKET NUMBER <b>PN/4-33177A</b>	
<b>The following fees are submitted:</b>				<b>CALCULATIONS</b> PTO USE ONLY	
21. Basic national fee. . . . . \$					
22. Examination Fee If International preliminary examination report was prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) . . . . . \$  All other situations. . . . . \$					
23. Search fee If Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority. . . . . \$ If International Search Report was prepared and provided to the Office. . . . . \$ All other situations. . . . . \$					
<b>TOTAL OF 21, 22 AND 23 =</b>				<b>\$ 0</b>	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		X \$ 250	\$	
Surcharge of \$130 for furnishing the oath of declaration later than <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		X \$ 60	\$	
Independent claims	- 3 =		X \$ 200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 360	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 130</b>	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				<b>\$ 130</b>	
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 130</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 130</b>	
				Amount to be refunded	\$
				charged	\$
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$130 to cover the above fees. A duplicate copy of this form is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
Send all correspondence to the address associated with Customer No. 001095, which is currently:					
Novartis Corporate Intellectual Property One Health Plaza, Building 104 East Hanover, NJ 07936-1080			 Peter J. Walbel Attorney for Applicant Reg. No. 43,228 (862) 778-7951		